



CITY OF SAN JOSE, CALIFORNIA

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CIVIL SERVICE COMMISSION

Bill Brill, Chair
Sharon L. Hightower, Vice Chair
Dave Busse
Cynthia Cobb
Peter Soulé

Minutes of the Commission December 6, 2007

The Civil Service Commission of the City of San José convened in regular session on November 1, 2007, in the City Council Chambers of San José City Hall at 4:05 p.m.

ROLL CALL

Present: Commissioners Busse, Cobb, Hightower, Soulé and Brill
Absent: None

1. Oath of Office for newly appointed commissioners

City Clerk Lee Price administered the Oaths of Office to Sharon Hightower, Cynthia Cobb and Peter Soulé.

2. Election of Chair and Vice Chair.

Upon motion by Commissioner Busse, seconded by Commissioner Soulé and unanimously carried, the Civil Service Commission elected Commissioner Brill and Commissioner Hightower as Chair and Vice Chair. Vote: 5-0-0.

ORDERS OF THE DAY

By motion unanimously adopted, the Orders of the Day were approved.

CONSENT CALENDAR

By motion unanimously adopted, the Consent Calendar was approved.

3. Information Only

- a. Hiring Summary – Memorandum from Human Resources dated November 28, 2007, listing complaints about hiring issues and a summary of hiring activity for the period July 1, 2007, through November 17, 2007, was filed.

4. Human Resources Report dated October 24, 2007 listing the following amendments to the classification plan was filed.

a. Reallocations of Positions

Position #	From (Current Class)	To (New Class)	Dept
00012629	Info Systs Analyst	Supervg Applicat Analyst	Airport
00013627	Senr Analyst	Program Manager I	Airport
00012565	Supervg Applicat Analyst	Program Manager II	Airport
00004054	Plan General Ops Supv	Division Manager	ESD
00003060	Prin Water Systems Tech	Maintenance Supervisor	ESD
00000421	Administrative Officer	Division Manager	HR
00002521	Fleet Manager	Division Manager	GS
00013596	Info Systs Analyst	Supervg Applicat Analyst	IT
00006353	Division Mgr, Public Safety	Division Manager	PD
00008392	Division Mgr, Public Safety	Division Manager	PD
00004727	Senr Police Property Spec	Police Property Supvr	PD
00014101	Program Manager I	Parks Manager	PRNS
00007803	Senr Maintenance Worker	Maintenance Supervisor	PRNS
00007787	Engineer II	Assoc Engineer	PW
00007504	Sanitary Engineer	Assoc Engineer	ESD

5. The following minutes were approved:

- a. October 23, 2007
- b. October 24, 2007
- c. November 1, 2007 (regular meeting)
- d. November 1, 2007 (special meeting)
- e. November 5, 2007

END OF CONSENT CALENDAR

6. The following hearings were scheduled:

- a. Appeal of one-step salary reduction of Felipe Juarez, Library Clerk (6213) was scheduled for February 7, 2007 at 6:30 p.m. Written time waiver filed. (Cruz/Nishigaya)

Deputy City Attorney Daisy Nishigaya, appearing on behalf of the City, and Yolanda Cruz, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that

both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- b. Rescheduling the appeal of discipline of Police Officer, Case No. 07-15 was scheduled for March 3 – 5, 2008 at 6:30 p.m. Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Peterson, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- c. Rescheduling the appeal of discipline of Police Officer, Case No. 07-16 was scheduled for March 25 – 26, 2008 at 6:30 p.m. Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Peterson, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- d. Rescheduling the appeal of discipline of Police Officer, Case No. 07-22 was scheduled for April 14 - 16, 2008 at 6:30 p.m. Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Peterson, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- e. Rescheduling the appeal of discipline of Police Officer, Case No. 07-37 was scheduled for April 21 - 23, 2008 at 6:30 p.m. Written time waiver filed. (Hopper/Peterson)

Deputy City Attorney Brian Hopper, appearing on behalf of the City, and Larry Peterson, appearing on behalf of the appellant, were present. Hearing Officer Hightower advised that both parties participate in a prehearing conference with her one week prior to the hearing date, be prepared to discuss issues, witnesses and have already exchanged documents.

- 7. Adoption of Civil Service Commission Resolutions #140 and #141 recognizing former Commissioners Leon Louie and Rick Giovannetti on their work with the Civil Service Commission.

Upon motion by Commissioner Hightower, seconded by Commissioner Busse and unanimously carried, Civil Service Commission Resolution #140 and #141 recognizing former Commissioners Leon Louie and Rick Giovannetti was adopted. Vote: 5-0-0.

- 8. Discussion as to the possible cancellation of the January 3, 2008 meeting due to the City Hall furlough closure.

Upon motion by Commissioner Busse, seconded by Commissioner Soulé and unanimously carried the Civil Service Commission agreed to cancel the January 3, 2008 meeting and agreed that the next meeting will be held on February 7, 2008. Vote: 5-0-0.

9. Quarterly verbal report of the Employment Oversight Committee (EOC).

Human Resources Administrative Manager Sarah Nunes provided a summary of the current trends and concerns regarding the hiring process that the Human Resources Department is facing. The next EOC meeting will be held on March 6, 2008.

10. Correspondence submitted by Michael Johnson requesting the investigation of hiring practices of the Human Resources and Environmental Services Department

Documents Filed: Correspondence from Michael Johnson requesting an investigation of the hiring practices of the Human Resources and Environmental Services Department.

Michael Johnson spoke on his reasons for requesting an investigation and stated he felt discriminated against because he previously filed a grievance. Human Resources Administrative Manager Sarah Nunes responded and answered questions from the Commission. Discussion ensued. Upon motion by Commissioner Busse, seconded by Commissioner Hightower, and unanimously passed, the Commission denied Mr. Johnson's request for an investigation of the hiring practices of the Human Resources and Environmental Services Department and referred Mr. Johnson to the Office of Employee Relations to pursue his discrimination claim, if he so desires.

ORAL PETITIONS

Chair Brill thanked the Association of Building, Maintenance and Electrical Inspectors Union for breaking the picket line to allow him to make it to the Civil Service Commission meeting.

ADJOURN

The meeting adjourned at 4:50 p.m.

BILL BRILL, CHAIR

ATTEST:
CIVIL SERVICE COMMISSION
LEE PRICE, MMC, SECRETARY

Cay Denise MacKenzie, Administrative Manager